IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**WRIT PETITION NO : 23769 of 2002**

Between:

1 G. Purnachandar S/o. Ilaiah
Sri Seetharama Upper Primary School, Warangal.
2 Akthar Begum D/o. Gulam Dastagiri
Sri Seetharama Upper Primary School, Warangal.
3 A. Lourdu Reddy S/o. Jojireddy
Sri Seetharama Upper Primary School, Warangal.
4 T. Rajaiah S/o Ramaiah
Sri Seetharama Upper Primary School, Warangal.
5 S. Anil Kumar S/o Narayanarao
Sri Seetharama Upper Primary School, Warangal.

**..... PETITIONERS**

AND

1 The Commissioner & Director of School Education Andhra

Pradesh, Hyderaabad.
2 The District Ecucational Officer, Watangal District at

Hanamakonda.
3 The Correspondnet, Sri Seetharama Upper Primary

School, Warangal.
4 The Head Master, Sri Seetharama upper Primary

School, Warangal.
5 The Deputy Inspector of schools (East), Warangal,

Warangal District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass orders, particularly one in the nature of Writ of Mandamus declaring the inaction of the 2nd respondent in securing the implementation of 1998 revised pay scales to the petitioners by the 3rd respondent as arbitrary illegal, discriminatory, and violative of Articles 14 and 21 of the Constitution of India, and consequently direct the respondents to fix up the pay of the petitioner in 1998 Revised pay scales with effect from 1-7-1998 and the pay the same to the petitioners with interest.

**Counsel for the Petitioners: MR.KASA JAGANMOHAN REDDY**

**Counsel for the Respondents: GP FOR EDUCATION**

**The Court made the following:**

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**ORDER:**

Heard Sri Kasa Jaganmohan Reddy, learned counsel for the petitioners and the learned Government Pleader for School Education on behalf of the respondents. At their request, the main writ petition itself is taken up for disposal.

This writ petition is filed seeking writ of Mandamus declaring the inaction of the second respondent in securing the implementation of 1998 revised pay scales to the petitioners by the third respondent as illegal and arbitrary and also for further direction to the respondents to fix up the pay of the petitioners in the aforesaid pay scales with effect from 01-07-1998.

However, subsequently, in the affidavit filed in support of W.P.M.P.No.2162 of 2005, it is stated that the third respondent has already surrendered the petitioners 1, 2, 4 and 5 to the second respondent as per the letter dated 20-12-2000, and as per the Government Memo No.238/PS.1/2003-5, dated 16-09-2003 and the proceedings of the second respondent-District Educational Officer in Rc.No.239/P2/2004, dated 21-06-2004 and Rc.No.239/P2/2003, dated 04-08-2004, petitioners are working in respective Government Schools. The third respondent also had issued S.Rs of the petitioners and accordingly the fifth respondent-Deputy Inspector of Schools, Warangal, sent fresh proposals in respect of the petitioners 1, 2, 4 and 5 vide letter dated 17-01-2005 and also followed by another letter in respect of the third petitioner for fixation of pay and the same is still pending with the second respondent who is the competent authority.

Having regard to the submission made on either side and also on perusal of the material available on record, it is not necessary to go into the merits of the case, more so, in view of the fact that the matter is still pending before the second respondent with regard to the proposals submitted by the fifth respondent.

In view of the above, the writ petition is disposed of directing the second respondent to consider the proposals and pass appropriate orders on merits, in accordance with law, within a period of four weeks from the date of receipt of a copy

of this order. No costs.

**(B.PRAKASH RAO, J)**

Dated February 25, 2005.

YCR

**Note:**

Issue copy in a week

B/O

To

1. The Commissioner & Director of School Education Andhra

Pradesh, Hyderaabad.

2. The District Educational Officer, Watangal District at Hanamakonda.
3. The Correspondnet, Sri Seetharama Upper Primary School, Warangal.
4. The Head Master, Sri Seetharama upper Primary School, Warangal.
5. The Deputy Inspector of schools (East), Warangal, Warangal District.

6. 2 CCs to G.P. for Education, High Court Buildings, Hyderabad. (OUT)

7. 2 C.D. copies.